



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Christina Moschella

Appl. No.: 10/775,954

Filed: February 11, 2004

For: **Privacy Shade**

Confirmation No.: 1663

Art Unit: 3634

Examiner: Johnson, Blair M.

Atty. Docket: 2255.0010001/DRB

**Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
  - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure

Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ 180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent

office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. The relevance of the non-English language document AL1 can be found in the Figures.
- ☒ 7. Copies of documents AL1 and AR1-AS1 are submitted herewith. In accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed

\_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C.

§ 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).


- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). \_\_\_\_ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Donald R. Banowit  
Attorney for Applicant  
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Date: March 22, 2005

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FORM PTO-1449

**INFORMATION DISCLOSURE STATEMENT**

ATTY. DOCKET NO.

2255.0010001/DRB

APPLICATION NO.

10/775,954

FIRST NAMED INVENTOR

Christina Moschella

FILING DATE

February 11, 2004

ART UNIT

3634

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	Des. 338,194	08/10/1993	Hartwig			
	AB1	Des. 342,063	12/07/1993	Howitt et al.			
	AC1	Des. 350,342	09/06/1994	Sack			
	AD1	Des. 357,470	04/18/1995	Bergdoll et al.			
	AE1	Des. 360,199	07/11/1995	Shu-Ying			
	AF1	Des. 361,993	09/05/1995	Egly et al.			
	AG1	Des. 375,302	11/05/1996	Darius et al.			
	AH1	Des. 381,973	08/05/1997	Adams			
	AI1	Des. 390,547	02/10/1998	Chen			
	AJ1	Des. 397, 686	09/01/1998	Bregmon et al.			
	AK1	Des. 398,915	09/29/1998	Shaffer			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	DE 2,035,990	01/27/1972	Germany			Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	1	"Times Almost Up for Implementing HIPAA" from webpage <a href="http://conference.himss.org/asp/release26.asp">http://conference.himss.org/asp/release26.asp</a>
	AS	1	"Glare Filters" from webpage <a href="http://www.antiglarescreen.com">www.antiglarescreen.com</a>
	AT	1	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 <b>INFORMATION DISCLOSURE STATEMENT</b>	ATTY. DOCKET NO. <b>2255.0010001/DRB</b>	APPLICATION NO. <b>10/775,954</b>
	FIRST NAMED INVENTOR <b>Christina Moschella</b>	
	FILING DATE <b>February 11, 2004</b>	ART UNIT <b>3634</b>

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	Des. 467,931	12/31/2002	Dulberger			
	AB2	4,633,322	12/30/1986	Fourny			
	AC2	4,848,874	07/18/1989	Mui et al.			
	AD2	6,133,966	10/17/2000	Dyballa			
	AE2						
	AF2						
	AG2						
	AH2						
	AI2						
	AJ2						
	AK2						

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR	2					
	AS	2					
	AT	2					

EXAMINER	DATE CONSIDERED
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